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*Attorneys for Quintero*

**BEFORE THE ARIZONA POWER PLANT AND  
 TRANSMISSION LINE SITING COMMITTEE**

In the Matter of THE APPLICATION OF ) ARIZONA PUBLIC SERVICE ) COMPANY, IN CONFORMANCE WITH ) THE REQUIREMENTS OF A.R.S. § 40- ) 360 <i>et. seq.</i> FOR A CERTIFICATE OF ) ENVIRONMENTAL COMPATIBILITY ) AUTHORIZING THE TS-5 TO TS-9 ) 500/230 kV TRANSMISSION LINE ) PROJECT, WHICH ORIGINATES AT ) THE FUTURE TS-5 SUBSTATION, ) LOCATED IN THE WEST HALF OF ) SECTION 29, TOWNSHIP 4 NORTH, ) RANGE 4 WEST AND TERMINATES AT ) THE FUTURE TS-9 SUBSTATION, ) LOCATED IN SECTION 33, TOWNSHIP ) 6 NORTH, RANGE 1 EAST, IN ) <u>MARICOPA COUNTY, ARIZONA</u> )	) <b><u>Docket No. L-00000D-08-0330-00138</u></b>  ) <b>Case No. 138</b>  ) <b>REQUEST FOR LEAVE TO INTERVENE</b> ) <b>AND PARTICIPATE AS A PARTY</b>
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Arizona Corporation Commission  
**DOCKETED**  
 AUG - 8 2008

DOCKETED BY	
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Pursuant to A.R.S. § 40-360.5(A)(3)and (4), QUINTERO COMMUNITY ASSOCIATION, INC. an Arizona non-profit corporation (hereinafter the "Quintero Association"), together with QUINTERO GOLF & COUNTRY CLUB, LLC, an Arizona limited liability company (hereinafter "Quintero Golf"), respectfully requests that they be given

1 leave to participate as party-intervenors in the above-captioned proceeding. This request is  
2 supported by the following Memorandum of Points and Authority.<sup>1</sup>

3 DATE this 7 day of August, 2008.

4  
5 **THE DAVIDSON LAW FIRM, P.C.**

6  
7  
8 By:   
9 Frederick E. Davidson, Esq.  
Chad R. Kaffer, Esq.

10  
11 **MEMORANDUM OF POINTS AND AUTHORITIES**

12 **I. FACTUAL BACKGROUND**

13 **A. Description of Quintero Community Association**

14  
15 The Quintero Association is a homeowner's association, comprised of members of an  
16 upscale, fully entitled master-planned community that was developed by Quintero Golf upon  
17 approximately 828 acres just north of State Highway 74, near the 167<sup>th</sup> Ave alignment. Quintero  
18 Golf commenced development of the Quintero master planned community in 1998, which was  
19 later annexed into the City of Peoria in 1999. Quintero's development is low density with a  
20 "least disturbance" approach. Presently there are approximately 211 additional residential lots  
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26 <sup>1</sup> Though separate entities, Quintero Community Association, Inc. and Quintero Golf &  
Country Club, LLC, hereby make a single filing as each have retained the same counsel and share  
overlapping issues. The grounds of requesting such intervenor status differ for each, however, as  
set forth more fully *infra*.

1 available within the larger Quintero, with an existing 92 property owners/community  
2 association members, as well as homes under design review for construction in the near future.

3 Located upon Quintero as the dominant feature of its community is Quintero's award-  
4 winning 18-hole golf course, which has been operational since fall of 2000. A second  
5 comparable 18-hole golf course and additional lots are planned for the remaining property.

6 Along with the creation of the development, Quintero Golf also constructed the Quintero  
7 Water Management Facility, a water & wastewater treatment facility, at a personal cost of over  
8 \$14million. That facility was completed by Quintero Golf in September 2006, and was  
9 subsequently transferred to and operated by the City of Peoria.

10 To date, in excess of \$125million has been expended by Quintero Golf in the  
11 development of Quintero. This upscale development is the only existing development along  
12 Alternate Route 3, as opposed to other developments that are contemplated. Quintero has gone  
13 to great lengths and expense to maintain their pristine scenic corridor. The destruction of that  
14 corridor by the siting of the requested APS transmission line within or near Alternative Route 3  
15 necessarily and directly threatens the value of those substantial investments made by Quintero  
16 Golf in development of its property, as well as the town of Peoria; and, also necessarily threatens  
17 the property values and reasonable expectations of those members of the Quintero Association.  
18 Accordingly, Quintero Golf and the Quintero Association hereby respectfully request leave to  
19 participate as party-intervenors in the above-captioned proceeding.  
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1 Docket Control  
2 ARIZONA CORPORATION COMMISSION  
3 1200 West Washington Street  
4 Phoenix, Arizona 85007

5 A COPY of the forgoing has been mailed/Emailed to:

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7 ARIZONA POWER PLANT AND TRANSMISSION  
8 Line Siting Committee  
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